

(A) in subsection (a)—
 (i) in paragraph (8) by striking “the greatest economic or social needs” and inserting “greatest economic need and older individuals with greatest social need”;
 (ii) in paragraph (13)—
 (I) in subparagraph (A) by striking “individuals aged 60 or older” and inserting “older individuals”;
 (II) in subparagraph (A) by striking “the elderly” and inserting “older individuals”;
 (III) in subparagraph (B) by striking “subclause” and inserting “subparagraph”; and
 (IV) in subparagraph (I) by striking “elderly participants” and inserting “participating older individuals”;
 (iii) in paragraph (14)(D) by striking “clause” and inserting “subparagraph”; and
 (iv) in paragraph (16)(B) by striking “clause” and inserting “paragraph”; and
 (B) in subsection (b)(2) by striking “clause” and inserting “paragraph”;
 (14) in section 308(b)—
 (A) in paragraphs (1)(B) and (2)(B) by striking “Virgin Islands” and inserting “United States Virgin Islands”; and
 (B) in paragraphs (3)(B)(iii) and (4) by striking “purposes” each place it appears and inserting “objectives”;
 (15) in section 321(a)—
 (A) in paragraph (4) by striking “elderly” and inserting “older”;
 (B) in paragraph (14)—
 (i) by striking “older, poor individuals 60 years of age or older” and inserting “low-income older individuals”; and
 (ii) by striking “the older poor” and inserting “low-income older individuals”; and
 (C) in paragraph (15) by striking “clause” and inserting “paragraph”;
 (16) in section 402(b) by striking “Alcohol” and inserting “the Alcohol”;
 (17) in section 412(b) by striking “purposes” and inserting “objectives”;
 (18) in section 421(a) by striking “purposes” and inserting “objectives”;
 (19) in section 422—
 (A) in the second sentence of subsection (a)(1) by striking “the rural elderly” and inserting “older individuals residing in rural areas”;
 (B) in subsection (b)—
 (i) in paragraph (1) by striking “elderly” and inserting “older individuals who are”;
 (ii) in paragraph (2) by striking “the elderly” and inserting “older individuals”;
 (iii) in paragraph (6) by striking “the rural elderly” and inserting “older individuals residing in rural areas”; and
 (iv) in paragraph (8) by striking “the rural elderly” and inserting “older individuals residing in rural areas”;
 (20) in section 602 by striking “older Indians, older Alaskan Natives, and older Native Hawaiians” and inserting “older individuals who are Indians, older individuals who are Alaskan Natives, and older individuals who are Native Hawaiians”;
 (21) in section 611(a)—
 (A) in the matter preceding paragraph (1) by inserting “individuals who are” after “older”; and
 (B) in paragraph (9) by striking “Indian elderly population” and inserting “population of older individuals who are Indians”;
 (22) in section 613 by inserting “individuals who are” after “older”; and
 (23) in section 614(a)—
 (A) in paragraph (7) by striking “Indians aged 60 and older” and inserting “older individuals who are Indians”;
 (B) in paragraph (8) by striking “clause” and inserting “paragraph”; and
 (C) in paragraphs (1), (6), (8), and (10) by inserting “individuals who are” after “older” each place it appears.

(b) The Older Americans Community Service Employment Act (42 U.S.C. 3056 et seq.) is amended—
 (1) in section 502(b)(1)—
 (A) in subparagraph (C) by striking “1954” and inserting “1986”; and
 (B) in subparagraph (J) by striking “persons” each place it appears and inserting “individuals”; and
 (2) in paragraphs (3) and (4)(A) of section 506(a) by striking “Virgin Islands” each place it appears and inserting “United States Virgin Islands”.

SEC. 905. EFFECTIVE DATES; APPLICATION OF AMENDMENTS.

(a) IN GENERAL.—Except as provided in section 811(b), any other provision of this Act (other than this section), and in subsection (b) of this section, this Act and the amendments made by this Act shall take effect on the date of the enactment of this Act.

(b) APPLICATION OF AMENDMENTS.—

(1) FEDERAL COUNCIL ON AGING.—Incumbent members of the Federal Council on Aging may serve on the Council until their successors are appointed under section 204 of the Older Americans Act of 1965 (42 U.S.C. 3015) as amended by section 205 of this Act.

(2) STATE AND COMMUNITY PROGRAMS ON AGING.—The amendments made by sections 303(a)(2), 303(a)(3), 303(f), 304, 305, 306, 307, 316, 317, and 320 shall not apply with respect to fiscal year 1992.

(3) PROJECT REPORTS.—The amendments made by sections 410, 411, 413, 414, 415, 416, 418, and 419 shall not apply with respect to fiscal year 1992.

(4) COMMUNITY SERVICE EMPLOYMENT.—The amendments made by sections 501, 504, and 506 shall not apply with respect to fiscal year 1992.

(5) INDIAN AND NATIVE HAWAIIAN PROGRAMS.—The amendments made by sections 601 and 603 shall not apply with respect to fiscal year 1992.

(6) VULNERABLE ELDER RIGHTS PROTECTION ACTIVITIES.—The amendments made by title VII shall not apply with respect to fiscal year 1992.

The SPEAKER pro tempore, Mr. KLECZKA, recognized Mr. FORD of Michigan and Mr. ARCHER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. DE LA GARZA, announced that two-thirds of the Members present had voted in the affirmative.

Mr. ROSTENKOWSKI objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 340
 Nays 68

43.31 [Roll No. 87]
 YEAS—340

Abercrombie	Bacchus	Boucher
Ackerman	Baker	Boxer
Alexander	Ballenger	Brewster
Allard	Bentley	Brooks
Allen	Berman	Broomfield
Anderson	Bevill	Browder
Andrews (ME)	Bilbray	Brown
Andrews (NJ)	Bilirakis	Bruce
Andrews (TX)	Blackwell	Bryant
Anthony	Boehlert	Bunning
Applegate	Boehner	Bustamante
Aspin	Bonior	Byron
AuCoin	Borski	Callahan

Camp	Hutto	Petri
Campbell (CA)	Hyde	Pickle
Campbell (CO)	Inhofe	Poshard
Cardin	James	Price
Carper	Jefferson	Quillen
Carr	Jenkins	Rahall
Chapman	Johnson (SD)	Ramstad
Clay	Johnston	Rangel
Clement	Jones (GA)	Ravenel
Coble	Jontz	Ray
Coleman (MO)	Kanjorski	Reed
Coleman (TX)	Kaptur	Regula
Collins (IL)	Kasich	Rhodes
Collins (MI)	Kennelly	Richardson
Combest	Kildee	Ridge
Conyers	Klecza	Riggs
Coughlin	Klug	Rinaldo
Cox (CA)	Kolter	Ritter
Coyne	Kopetski	Roberts
Cramer	Kostmayer	Roe
Cunningham	Kyl	Roemer
Darden	LaFalce	Rogers
Davis	Lagomarsino	Ros-Lehtinen
de la Garza	Lancaster	Rose
DeFazio	Lantos	Rostenkowski
DeLauro	LaRocco	Roth
Dellums	Leach	Roukema
Derrick	Lehman (CA)	Rowland
Dickinson	Lent	Roybal
Dicks	Levin (MI)	Sanders
Dixon	Lewis (CA)	Sangmeister
Donnelly	Lewis (FL)	Santorum
Dooley	Lewis (GA)	Sarpalius
Doolittle	Lightfoot	Savage
Dorgan (ND)	Lipinski	Sawyer
Downey	Livingston	Saxton
Duncan	Lloyd	Schaefer
Durbin	Long	Scheuer
Eckart	Lowery (CA)	Schiff
Edwards (CA)	Lowey (NY)	Schumer
Edwards (OK)	Machtley	Sensenbrenner
Emerson	Markey	Serrano
Engel	Marlenee	Sharp
English	Martinez	Shaw
Erdreich	Mavroules	Shays
Espy	McCandless	Sikorski
Evans	McCloskey	Sisisky
Fascell	McCollum	Skeen
Fawell	McCrery	Skelton
Fazio	McDade	Slaughter
Feighan	McDermott	Smith (FL)
Fields	McEwen	Smith (NJ)
Fish	McGrath	Smith (OR)
Flake	McHugh	Smith (TX)
Ford (MI)	McMillen (MD)	Snowe
Ford (TN)	McNulty	Solarz
Frank (MA)	Meyers	Solomon
Franks (CT)	Mfume	Spence
Frost	Michel	Spratt
Galleghy	Miller (CA)	Staggers
Gallo	Miller (OH)	Stallings
Gaydos	Miller (WA)	Stark
Gejdenson	Mineta	Stearns
Gekas	Mink	Stokes
Gibbons	Moakley	Studds
Gilchrist	Molinari	Stump
Gillmor	Mollohan	Sundquist
Gilman	Montgomery	Swett
Gingrich	Moody	Synar
Gonzalez	Moorhead	Tallon
Goodling	Moran	Tanner
Gordon	Morella	Tauzin
Goss	Mrazek	Taylor (MS)
Grandy	Murphy	Taylor (NC)
Gunderson	Murtha	Thomas (GA)
Hall (OH)	Myers	Thomas (WY)
Hall (TX)	Nagle	Thornton
Hammerschmidt	Natcher	Torres
Hansen	Neal (MA)	Torricelli
Harris	Neal (NC)	Towns
Hastert	Nowak	Traficant
Hatcher	Nussle	Traxler
Hayes (IL)	Oakar	Unsoeld
Hayes (LA)	Obey	Upton
Hefley	Oliver	Vander Jagt
Hefner	Ortiz	Volkmer
Henry	Owens (NY)	Vucanovich
Herger	Owens (UT)	Walsh
Hertel	Oxley	Washington
Hobson	Packard	Waters
Hochbrueckner	Pallone	Waxman
Holloway	Pastor	Weiss
Horn	Patterson	Weldon
Horton	Paxon	Wheat
Houghton	Payne (NJ)	Williams
Hoyer	Pelosi	Wilson
Hubbard	Perkins	Wise
Huckaby	Peterson (FL)	
Hunter	Peterson (MN)	

Wolpe	Wylie	Young (FL)
Wyden	Yatron	Zimmer

NAYS—68

Archer	Glickman	Panetta
Armey	Green	Parker
Atkins	Guarini	Payne (VA)
Barrett	Hamilton	Pease
Barton	Hancock	Penny
Bateman	Hoagland	Pickett
Beilenson	Hopkins	Porter
Bennett	Hughes	Pursell
Bereuter	Ireland	Rohrabacher
Bliley	Jacobs	Sabo
Burton	Johnson (CT)	Schroeder
Chandler	Johnson (TX)	Schulze
Clinger	Kennedy	Skaggs
Condit	Kolbe	Slattery
Cooper	Luken	Stenholm
Cox (IL)	Matsui	Swift
Crane	Mazzoli	Thomas (CA)
DeLay	McCurdy	Valentine
Dreier	McMillan (NC)	Vento
Edwards (TX)	Nichols	Visclosky
Ewing	Oberstar	Walker
Gephardt	Olin	Wolf
Geren	Orton	

NOT VOTING—26

Annunzio	Foglietta	Russo
Barnard	Gradison	Shuster
Costello	Jones (NC)	Smith (IA)
Dannemeyer	Laughlin	Weber
Dingell	Lehman (FL)	Whitten
Dornan (CA)	Levine (CA)	Yates
Dwyer	Manton	Young (AK)
Dymally	Martin	Zeliff
Early	Morrison	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶43.32 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. MARTINEZ, by unanimous consent,

Ordered, That in the engrossment of the foregoing House amendment to the Senate amendment, the Clerk be authorized to correct section numbers, punctuation, cross references, and to make other technical corrections.

¶43.33 HOUR OF MEETING

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That when the House adjourns on Tuesday, April 28, 1992, it adjourn to meet at 12 o'clock noon on Wednesday, April 29, 1992.

¶43.34 HOUR OF MEETING

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That when the House adjourns on Wednesday, April 29, 1992, it adjourn to meet at 10 o'clock a.m. on Thursday, April 30, 1992.

¶43.35 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, April 29, 1992, under clause 7, rule XXIV, the Calendar Wednesday rule, be dispensed with.

¶43.36 ORDER OF BUSINESS—RECESSES

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That it may be in order on Thursday, April 30, 1992, for the Speaker to declare recesses at any time, subject to the call of the Chair, for the purpose of receiving in joint meeting His Excellency Richard von Weizsacker, President of the Federal Republic of Germany.

¶43.37 SPEAKER TO ACCEPT RESIGNATIONS, APPOINT TO COMMISSIONS

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That, notwithstanding any adjournment of the House until Tuesday, April 28, 1992, the Speaker and the Minority Leader be authorized to accept resignations and to make appointments to commissions, boards and committees duly authorized by law or by the House.

¶43.38 PERMISSION TO FILE SUNDRY REPORTS

On motion of Mr. CONYERS, by unanimous consent, the Committee on Government Operations was granted permission until 6 p.m., Friday, April 24, 1992, to file sundry reports.

¶43.39 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 109. Concurrent resolution providing for a conditional recess or adjournment of the Senate from Friday, April 10, 1992, or Saturday, April 11, 1992, until Tuesday, April 28, 1992, and an adjournment of the House on the legislative day of Thursday, April 9, 1992, until Tuesday, April 28, 1992.

¶43.40 PROVIDING FOR THE ADJOURNMENT OF THE TWO HOUSES

The SPEAKER pro tempore, Mr. DE LA GARZA, laid before the House the following privileged concurrent resolution (S. Con. Res. 109):

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns at the close of business on Friday, April 10, 1992, or Saturday, April 11, 1992, pursuant to a motion made by the Majority Leader, or his designee, in accordance with this resolution, it stand recessed or adjourned until 9:30 a.m. on Tuesday, April 28, 1992, or until 12 o'clock noon on the second day after members are notified to reassemble pursuant to section 2 of this resolution, whichever occurs first; and that when the House of Representatives adjourns on the legislative day of Thursday, April 9, 1992, pursuant to a motion made by the Majority Leader, or his designee, in accordance with this resolution, it stand adjourned until 12 o'clock noon on Tuesday, April 28, 1992, or until 12 o'clock noon on the second day after Members are notified to reassemble pursuant to section 2 of this resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, acting jointly after consultation with the Minority Leader of the Senate and the Minority of the House, shall notify the Members of the Senate and the House, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

APRIL 10 (Legislative Day of APRIL 9), 1992

¶43.41 MEDICAID PROGRAM WAIVER

On motion of Mr. WAXMAN, by unanimous consent, the Committee of the Whole House on the state of the Union was discharged from further consideration of the bill (H.R. 4572) to direct the Secretary of Health and Human Services to waive certain requirements under the medicaid program during 1992 and 1993 for health maintenance organizations operated by the Dayton Area Health Plan, Dayton, Ohio.

When said bill was considered and read twice.

The following amendment in the nature of a substitute, recommended by the Committee on Energy and Commerce, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. APPLICABILITY OF ENROLLMENT MIX REQUIREMENT TO CERTAIN HEALTH MAINTENANCE ORGANIZATIONS PROVIDING SERVICES UNDER DAYTON AREA HEALTH PLAN.

(a) HEALTH PLAN NETWORK.—With respect to the unincorporated association affiliated with the Dayton Area Health Plan, Inc., that is known as the Health Plan Network, the Secretary of Health and Human Services (hereafter referred to as the "Secretary") shall waive the requirement described in section 1903(m)(2)(A)(ii) of the Social Security Act for the period described in section 2.

(b) DAYMED, INC.—

(1) IN GENERAL.—Subject to paragraph (2), for purposes of determining the compliance of the DAYMED Health Maintenance Plan, Inc., with the requirement described in section 1903(m)(2)(A)(ii) of the Social Security Act for the period described in section 2, the Secretary may not treat individuals enrolled with the Plan who are described in section 1902(l)(1)(D) of such Act as individuals enrolled with the Plan on a prepaid basis.

(2) LIMITATION ON NUMBER OF INDIVIDUALS EXEMPTED.—The number of individuals enrolled with the DAYMED Health Maintenance Plan, Inc., whom the Secretary may not treat as individuals enrolled with the Plan on a prepaid basis pursuant to paragraph (1) may not exceed 4,000.

SEC. 2. PERIOD OF APPLICABILITY.

The period referred to in subsections (a) and (b)(1) of section 1 is the period that begins on May 1, 1992, and ends on January 31, 1994.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title, and passed.

By unanimous consent, the title was amended so as to read: "An Act to direct the Secretary of Health and Human Services to grant a waiver of the requirement limiting the maximum number of individuals enrolled with a health maintenance organization who may be beneficiaries under the medicare or medicaid programs in